

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:24-CR-64-KAC-JEM
)	
ERNEST MOUNT,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the Court on Motion of Defendant for the Appointment of Substitute Counsel [Doc. 75], filed by Attorney Chris Irwin on November 4, 2024.

In the motion, counsel states that substitute counsel should be appointed based on a strained attorney-client relationship, suffering from a breakdown of communication and trust that has compromised beyond repair to render effective assistance of counsel.

The parties appeared before the Court for a hearing on the motion on November 15, 2024. Assistant United States Attorney Cynthia Davidson appeared on behalf of the Government. Attorney Chris Irwin appeared on behalf of Defendant, who was also present. Attorney Scott Saidak was also present at the Court's request.

At the motion hearing, the Government confirmed that it had no position on the motion. The Court also conducted a sealed, *ex parte* portion of the hearing to learn more about the nature and extent of the problems with the attorney-client relationship. Without going into the confidential nature of that discussion, the Court is reasonably satisfied that there are sufficient grounds to substitute counsel based on a strained relationship, which is suffering from a breakdown

of communication that has compromised beyond repair counsel's ability to render effective assistance. Good cause therefore exists for substitution of counsel.

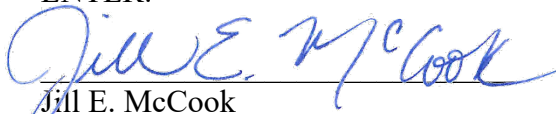
The Motion of the Defendant for the Appointment of Substitute Counsel [**Doc. 75**] is **GRANTED** and Attorney Chris Irwin is **RELIEVED** as counsel of record for Defendant. Attorney Scott Saidak agreed to accept representation of Defendant at the hearing. The Court **SUBSTITUTES and APPOINTS** Attorney Scott Saidak under the Criminal Justice Act, 18 U.S.C. § 3006A, as counsel of record for Defendant. The Court **DIRECTS** former Attorney Chris Irwin to provide the discovery and information from Defendant's file to Attorney Scott Saidak.

Accordingly, the Court **ORDERS**:

- (1) Motion of the Defendant for the Appointment of Substitute Counsel [**Doc. 75**] is **GRANTED**;
- (2) Attorney Chris Irwin is **RELIEVED** of further representation of Defendant;
- (3) Attorney Scott Saidak is **SUBSTITUTED** and **APPOINTED** as counsel of record for Defendant; and
- (4) the Government is **ORDERED** to provide discovery to new counsel on or before **November 22, 2024**.

IT IS SO ORDERED.

ENTER:


Jill E. McCook
United States Magistrate Judge